

REMARKS/ARGUMENTS

Claims 1-6, 9, and 11-14 are pending, of which claims 4-6 are withdrawn as being drawn to a nonelected species. Claims 7, 8, and 10 have been canceled without prejudice and without disclaimer. Claims 9, 11, and 12 have been amended. Claims 13 and 14 have been added. No new matter has been introduced. Applicant believes the claims comply with 35 U.S.C. § 112.

Applicant notes with appreciation the indicated allowability of claims 7 and 8 if rewritten in independent form. Those claims have been rewritten as new claims 13 and 14. Thus, claims 13 and 14 are allowable.

Claim 9 has been amended to recite "storing information on said number of write operations performed on said each sector." This is supported in paragraph [0042] of the present specification: "The Winh setting circuit 6 sets the value of the write inhibit slice (Winh) based on a received write address (sector), write order of each sector, position information on neighboring sectors, information on the degree of proximity erasure by each head 9, and information on the rewrite counts of neighboring sectors." Emphasis added. Applicants respectfully assert that claim 9 as amended complies with 35 U.S.C. § 112.

Claims 1-3 and 11-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nishida et al. (U.S. Patent Publication No. 2002/0030915).

Applicant respectfully submits that independent claim 1 is patentable over Nishida et al. because, for instance, Nishida et al. does not teach or suggest "setting a write inhibit slice for said sector based on a recording state of said each sector on said recording medium."

Nishida et al. is directed to a method of controlling read/write operation of a magnetic disk by detecting a magnitude of a positional error (PE) of a magnetic head. An allowable threshold value of position error is divided into 2 stages (Ewf, Eww) and the position error is monitored. If it is decided that the position error is comparatively larger on the corresponding track ($PE > Ewf$) and there is the possibility that it results in a failure depending on the state of position error when data is written on the neighboring track, though it is not fatal (write warning: WW), and the corresponding track is registered in the track

information table 16 as a write warning, the data is written on the corresponding track as it is. The tracks on both sides neighboring to the track registered in the track information table 16 as write warning are temporarily write-inhibited. See, e.g., Abstract and paragraph [0038].

The claimed invention is directed to changing the write inhibit slice within the track, according to sectors. This reduces erasures from neighboring sectors when increasing track density. The apparatus of the claimed invention stores at least one piece of information selected from among the write order of each sector, position information on neighboring sectors such as the amount of displacement of the write position of each neighboring sector from the center of its track, information on the degree of proximity erasure by each head, and the rewrite counts of neighboring sectors. These pieces of information are known as the "recording state" of each sector on the recording medium. The apparatus sets a write inhibit slice (Winh) for each sector based on the recording state of each sector on the recording medium so as to optimize the information protection capability and the transfer rate in the write operation. See, e.g., paragraphs [0012] and [0047].

Here, while Nishida et al. discloses positional error (PE) of a magnetic head, Nishida et al. fails to teach or suggest other pieces of information that also comprise "recording state" of each sector on the recording medium. For example, Nishida et al. does not teach or suggest the write order of each sector, information on the degree of proximity erasure by each head, and the rewrite counts of neighboring sectors. Thus, Nishida et al. does not teach or suggest the "recording state," and further fails to disclose or suggest setting a write inhibit slice based on the recording state.

For at least the foregoing reasons, claim 1 and claims 2-3 depending therefrom are patentable over Nishida et al.

Applicant respectfully submits that independent claim 11 is patentable over Nishida et al. because, for instance, Nishida et al. does not teach or suggest setting "a write inhibit slice for each sector according to a position within the track."

Nishida et al. discloses changing write inhibit slice for tracks. It is also possible to change the control unit to the sector unit and execute write inhibit and address conversion in sector units. See, e.g., paragraph [0054]. However, Nishida et al. does not

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disclose changing write inhibit slice *for each sector* within the track *according to a position within the track*. See, e.g., paragraph [0012] of the claimed invention.

For at least the foregoing reason, claim 11 and claim 12 depending therefrom are patentable over Nishida et al.

Because independent claim 1 is generic, Applicant respectfully asserts that withdrawn claims 4-6 should be reinstated and allowed.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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